

## MINUTES

### MONTANA HOUSE OF REPRESENTATIVES 64th LEGISLATURE - REGULAR SESSION

#### COMMITTEE ON JUDICIARY

**Call to Order:** Chair Gerald (Jerry) Bennett, on March 17, 2015 at 8:00 AM, in Room 137 Capitol

#### ROLL CALL

**Members Present:**

Rep. Gerald (Jerry) Bennett, Chair (R)  
Rep. Virginia Court, Vice Chair (D)  
Rep. Alan Doane, Vice Chair (R)  
Rep. Seth Berglee (R)  
Rep. Jennifer Eck (D)  
Rep. Clayton Fiscus (R)  
Rep. Stephanie Hess (R)  
Rep. Kathy Kelker (D)  
Rep. Sarah Laszloffy (R)  
Rep. Theresa Manzella (R)  
Rep. Nate McConnell (D)  
Rep. Matthew Monforton (R)  
Rep. Carolyn Pease-Lopez (D)  
Rep. Zac Perry (D)  
Rep. Andrew Person (D)  
Rep. Keith Regier (R)  
Rep. Kirk Wagoner (R)

**Members Excused:** Rep. Ellie Boldman Hill (D)  
Rep. Margaret (Margie) MacDonald (D)  
Rep. G. Bruce Meyers (R)  
Rep. Randall Pinocci (R)

**Members Absent:** None

**Staff Present:** McKenzie Chambers, Committee Secretary  
Helen Thigpen, Legislative Branch

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

**Committee Business Summary:**

Hearing & Date Posted: SB 371, 3/10/2015; SB 372, 3/10/2015; SB 384, 3/10/2015;  
SB 385, 3/10/2015  
Executive Action: HJ 21, SB 101, SB 209, SB 224

00:00:54 Chair J. Bennett

**HEARING ON SB 384**

**Opening Statement by Sponsor:**

00:01:30 Sen. Roger Webb (R), SD 23, opened the hearing on SB 384, Court authorization required for notices of no contact between landlord & tenant.

**EXHIBIT(juh55a01)**

**Proponents' Testimony:**

00:02:54 John Sinrud, Montana Landlords Association (MLA)

00:05:26 Rick Linafelter, Montana Landlords Association (MLA)

00:05:47 Rep. Meyers and Rep. MacDonald joined the meeting.

**Opponents' Testimony:**

00:06:46 Amy Hall, Montana Legal Services Association (MLSA)

**EXHIBIT(juh55a02)**

00:09:09 Chair J. Bennett

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:09:26 Rep. McConnell

00:09:59 Sen. Webb

00:10:39 Rep. Hill joined the meeting.

00:10:54 Rep. Person

00:11:13 Sen. Webb

00:12:09 Rep. Person

00:12:54 Sen. Webb

00:13:19 Rep. Fiscus

00:13:52 Sen. Webb

**Closing by Sponsor:**

00:14:02 Sen. Webb

**HEARING ON SB 385**

**Opening Statement by Sponsor:**

00:15:02 Sen. Roger Webb (R), SD 23, opened the hearing on SB 385, Generally revise landlord tenant laws.

**Proponents' Testimony:**

00:16:19 John Sinrud, Montana Landlords Association (MLA)

00:24:46 Rick Linafelter, Montana Landlords Association (MLA)

**Opponents' Testimony:**

00:26:05 Haocheng Wang, Associated Students of the University of Montana (ASUM)

00:28:05 Amy Hall, Montana Legal Services Association (MLSA)

**EXHIBIT(juh55a03)**

00:38:49 Will Garvin, Self

00:41:22 Braden Fitzgerald, Montana Public Interest Research Group (MontPIRG)

**Informational Testimony:** None**Questions from Committee Members and Responses:**

00:42:44 Rep. Kelker

00:43:31 Amy Hall, MLSA

00:45:09 Rep. Fiscus

00:45:32 Amy Hall, MLSA

00:45:41 Rep. Fiscus

00:45:51 Amy Hall, MLSA

00:46:28 Rep. Fiscus

00:47:08 Amy Hall, MLSA

00:48:35 Rep. Fiscus

00:48:46 Amy Hall, MLSA

00:49:22 Rep. Manzella

00:49:54 John Sinrud, MLA

00:50:43 Rep. Manzella

00:50:59 John Sinrud, MLA

00:51:18 Rep. Manzella

00:51:49 John Sinrud, MLA

00:55:13 Rep. Wagoner

00:55:42 John Sinrud, MLA

00:56:02 Rep. Wagoner

00:56:40 John Sinrud, MLA

00:56:51 Rep. Kelker

00:57:30 Amy Hall, MLSA

00:57:44 Rep. Kelker

00:58:06 Amy Hall, MLSA

00:58:10 Rep. Berglee

00:58:43 John Sinrud, MLA

00:58:59 Rep. Berglee

00:59:15 John Sinrud, MLA

00:59:49 Rep. Court

01:00:15 Sen. Webb

01:00:19 Rep. Court

01:01:05 Amy Hall, MLSA

01:02:02 Rep. Court

01:02:28 Amy Hall, MLSA

01:02:57 Rep. Court

01:03:21 Amy Hall, MLSA

**Closing by Sponsor:**

01:04:05 Sen. Webb

**HEARING ON SB 371****Opening Statement by Sponsor:**

01:13:49 Sen. Mark Blasdel (R), SD 4, opened the hearing on SB 371, Generally revise landlord tenant property laws.

**Proponents' Testimony:**

01:15:12 Chair J. Bennett left the meeting and Rep. Doane assumed the role of Chair.  
01:15:12 John Sinrud, Montana Landlords Association (MLA)  
01:18:35 Rep. J. Bennett rejoined the meeting and resumed the role of Chair.  
01:22:12 Rick Linafelter, Self  
01:22:41 Will Garvin, Self

**Opponents' Testimony:**

01:23:17 Amy Hall, Montana Legal Services Association (MLSA)  
**EXHIBIT(juh55a04)**  
01:38:16 Cody Meixner, Self  
01:40:01 Haocheng Wang, Associated Students of the University of Montana (ASUM)

**Informational Testimony:** None**Questions from Committee Members and Responses:**

01:42:26 Rep. Wagoner  
01:42:58 Amy Hall, MLSA  
01:43:03 Rep. Wagoner  
01:43:21 Amy Hall, MLSA  
01:44:51 Rep. Wagoner  
01:45:17 John Sinrud, MLA  
01:45:25 Rep. Wagoner  
01:45:42 John Sinrud, MLA  
01:46:23 Rep. Wagoner  
01:46:31 John Sinrud, MLA  
01:47:29 Rep. Hess  
01:48:06 John Sinrud, MLA  
01:49:02 Rep. Hess  
01:49:35 John Sinrud, MLA  
01:51:27 Rep. Hess  
01:51:34 John Sinrud, MLA  
01:51:39 Rep. Fiscus  
01:52:31 Amy Hall, MLSA  
01:53:35 Rep. Fiscus  
01:53:53 Amy Hall, MLSA  
01:54:20 Rep. Fiscus  
01:54:48 Amy Hall, MLSA  
01:55:00 Rep. Fiscus  
01:55:11 Amy Hall, MLSA  
01:55:35 Rep. Kelker  
01:56:36 John Sinrud, MLA  
01:58:28 Rep. Kelker  
01:58:45 John Sinrud, MLA

01:59:46 Rep. Kelker  
02:00:10 John Sinrud, MLA  
02:01:22 Rep. Kelker  
02:01:43 John Sinrud, MLA  
02:02:46 Rep. Person  
02:03:49 John Sinrud, MLA  
02:05:29 Rep. Person  
02:06:03 John Sinrud, MLA  
02:07:25 Rep. Meyers  
02:08:41 Haocheng Wang, ASUM  
02:11:01 Chair J. Bennett  
02:11:20 Haocheng Wang, ASUM  
02:11:24 Chair J. Bennett  
02:12:48 Haocheng Wang, ASUM  
02:14:04 Chair J. Bennett  
02:15:11 Amy Hall, MLSA  
02:16:32 Rep. Regier  
02:16:52 Haocheng Wang, ASUM  
02:17:42 Rep. Fiscus  
02:18:28 Sen. Blasdel

**Closing by Sponsor:**

02:19:05 Sen. Blasdel

02:20:17 Chair J. Bennett

**HEARING ON SB 372****Opening Statement by Sponsor:**

02:20:26 Sen. Mark Blasdel (R), SD 4, opened the hearing on SB 372, Generally revise landlord tenant property laws.

**Proponents' Testimony:**

02:22:07 John Sinrud, Montana Landlords Association (MLA)  
02:23:58 Rick Linafelter, Self

**Opponents' Testimony:**

02:24:17 Amy Hall, Montana Legal Services Association (MLSA)

[EXHIBIT\(juh55a05\)](#)

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

02:26:56 Rep. Pinocci joined the meeting.  
02:27:00 Rep. Person  
02:27:19 John Sinrud, MLA  
02:28:19 Rep. Court  
02:28:56 John Sinrud, MLA

**Closing by Sponsor:**

02:29:27 Sen. Blasdel  
  
02:29:52 Chair J. Bennett  
  
02:33:59 Recessed  
03:06:01 Reconvened  
  
03:06:02 Chair J. Bennett

**EXECUTIVE ACTION ON SB 224**

03:06:07 **Motion:** Rep. Doane moved that **SB 224 BE CONCURRED IN.**

**Discussion:**

03:06:13 Helen Thigpen, Legislative Services Division (LSD)  
[EXHIBIT\(juh55a06\)](#)  
[EXHIBIT\(juh55a07\)](#)  
[EXHIBIT\(juh55a08\)](#)

03:07:04 **Motion:** Rep. Doane moved that **SB 224 BE AMENDED.**

**Discussion:**

03:07:23 Helen Thigpen, LSD  
03:09:07 Rep. Hess  
03:09:18 Rep. Hill  
03:09:46 Rep. Hess  
03:10:06 Rep. McConnell  
03:10:32 Rep. Meyers  
03:11:23 Chair J. Bennett  
  
03:11:38 **Vote:** Motion carried 12-9 by roll call vote with Rep. Court, Rep. Eck, Rep. Hill, Rep. Kelker, Rep. MacDonald, Rep. McConnell, Rep. Pease-Lopez, Rep. Perry and Rep. Person voting no.

03:12:31 **Motion:** Rep. Doane moved that **SB 224 BE CONCURRED IN AS AMENDED.**

03:12:38 **Motion:** Rep. Doane moved that **SB 224 BE AMENDED.**

**Discussion:**

03:12:59 Helen Thigpen, LSD  
03:13:28 Rep. Court  
  
03:14:14 **Vote:** Motion carried unanimously by voice vote.  
  
03:14:28 **Motion:** Rep. Doane moved that **SB 224 BE CONCURRED IN AS AMENDED.**  
  
03:14:29 **Motion:** Rep. Doane moved that **SB 224 BE AMENDED.**

**Discussion:**

03:14:46 Rep. MacDonald  
03:15:00 Helen Thigpen, LSD  
03:15:46 Rep. MacDonald  
03:18:12 Chair J. Bennett  
03:18:30 Rep. Wagoner  
03:19:09 Rep. Doane  
03:19:41 Helen Thigpen, LSD  
03:19:50 Rep. Doane  
03:20:00 Rep. Hess  
03:20:02 Rep. MacDonald  
03:20:05 Rep. Doane  
03:20:11 Helen Thigpen, LSD  
03:20:48 Rep. Doane  
03:21:03 Rep. Court  
03:21:33 Rep. Pinocci

03:22:02 **Vote:** Motion carried unanimously by voice vote.

03:22:12 **Motion:** Rep. Doane moved that **SB 224 BE CONCURRED IN AS AMENDED.**

**Discussion:**

03:22:15 Chair J. Bennett  
03:22:43 Rep. Hill  
03:23:47 Chair J. Bennett  
03:24:14 Rep. MacDonald

03:24:43 **Vote:** Motion carried 17-4 by roll call vote with Rep. Eck, Rep. Hill, Rep. McConnell and Rep. Perry voting no. Rep. Doane will carry the bill.

**EXECUTIVE ACTION ON HJ 21**

03:25:57 **Motion:** Rep. Doane moved that **HJ 21 DO PASS.**

**Discussion:**

03:26:07 Helen Thigpen, LSD

03:26:40 **Vote:** Motion carried unanimously by voice vote.

03:26:50 Chair J. Bennett  
03:27:12 Rep. MacDonald left the meeting.

**EXECUTIVE ACTION ON SB 101**

03:27:27      **Motion:** Rep. Doane moved that **SB 101 BE CONCURRED IN.**

**Discussion:**

03:27:35      Helen Thigpen, LSD

[EXHIBIT\(juh55a09\)](#)

03:28:01      **Motion:** Rep. Doane moved that **SB 101 BE AMENDED.**

**Discussion:**

03:28:11      Helen Thigpen, LSD

03:28:34      Rep. Wagoner

03:28:42      Rep. McConnell left the meeting.

03:29:30      Rep. Eck

03:29:57      Rep. Wagoner

03:30:36      Helen Thigpen, LSD

03:30:49      Rep. Eck

03:31:02      Helen Thigpen, LSD

03:31:34      Rep. Wagoner

03:32:24      Rep. Eck

03:32:36      Rep. Wagoner

03:32:46      Rep. Court

03:32:59      Rep. Kelker

03:33:30      **Vote:** Motion carried unanimously by voice vote. Rep. MacDonald and Rep. McConnell voted by proxy.

03:33:50      **Motion:** Rep. Doane moved that **SB 101 BE CONCURRED IN AS AMENDED.**

**Discussion:**

03:33:59      Rep. Regier left the meeting.

03:34:04      Rep. Wagoner

03:34:07      **Vote:** Motion carried unanimously by voice vote. Rep. MacDonald, Rep. McConnell and Rep. Regier voted by proxy. Rep. Court will carry the bill.

**EXECUTIVE ACTION ON SB 209**

03:34:39      **Motion:** Rep. Doane moved that **SB 209 BE CONCURRED IN.**

**Discussion:**

03:34:45      Helen Thigpen, LSD

[EXHIBIT\(juh55a10\)](#)

03:35:44      **Motion:** Rep. Doane moved that **SB 209 BE AMENDED.**

**Discussion:**

03:36:00      Rep. Eck

03:36:19     **Vote:** Motion carried 13-8 by roll call vote with Rep. Court, Rep. Eck, Rep. Hill, Rep. Kelker, Rep. MacDonald, Rep. McConnell, Rep. Pease-Lopez and Rep. Perry voting no. Rep. MacDonald, Rep. McConnell and Rep. Regier voted by proxy.

03:37:27     **Motion:** Rep. Doane moved that **SB 209 BE CONCURRED IN AS AMENDED.**

**Discussion:**

03:37:37     Rep. Court

03:37:56     **Vote:** Motion carried 13-8 by roll call vote with Rep. Court, Rep. Eck, Rep. Hill, Rep. Kelker, Rep. MacDonald, Rep. McConnell, Rep. Pease-Lopez and Rep. Perry voting no. Rep. MacDonald, Rep. McConnell and Rep. Regier voted by proxy. Rep. Zolnikov will carry the bill.

03:38:53     Chair J. Bennett

**EXHIBIT(juh55a11)**

03:39:40     Rep. Laszloffy

03:40:01     Chair J. Bennett

03:40:23     Rep. Monforton

03:40:28     Chair J. Bennett

**ADJOURNMENT**

Adjournment: 03:40:49

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McKenzie Chambers, Secretary

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Additional Documents:

**EXHIBIT([juh55aad.pdf](#))**